



W.P.(MD) No.5357 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.5357 of 2020

Nagamahalakshmi

... Petitioner

Vs.

1.The Director & Head (Marks-I),
Bureau of Indian Standards,
Southern Regional Officer,
Post Box No.8290, CIT Campus,
4th Cross Road, Taramani,
Chennai-600 113.

2.The Deputy Director General (South),
Bureau of Indian Standards,
Southern Regional Officer,
Post Box No.8290, CIT Campus,
4th Cross Road, Taramani,
Chennai-600 113.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to transfer the Bureau of Indian Standards License No.3584067 in respect of M/s. SS Aqua Enterprises, in the name of the petitioner and consequently direct the respondents to renew the license No.3584067.



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For Petitioner : Mr.Niranj S.Kumar

For Respondents : Mr.M.Jaya Singh
Senior Panel Counsel

ORDER

The petitioner has filed the above writ petition for issuance of a mandamus directing the respondents to transfer the Bureau of Indian Standards License No.3584067 issued in favour of M/s.SS Aqua Enterprises in the name of the petitioner and consequently, direct the respondent to renew the licence.

2. It is the case of the petitioner that earlier M/s.SS Aqua Enterprises was carrying on business of the production and distribution of packaged drinking water and one Mr.Ramu, S/o.Kandhasamy was its Proprietor. The business was being run by Ramu, who was having all the necessary license in his name including that of the respondents. While so, on 31.08.2017, the deponent and her partner had purchased the business and thereafter had sought to have the licence transferred in their name. Despite several representations, neither have they been given a



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oral reply or written communication. Therefore, the petitioner has approached this Court.

3. Admittedly, there is no impediment in the form of any objection to grant license to the petitioner partnership firm. The business has been taken over by the partnership firm and therefore, they are entitled to the license. There is no adverse report against the petitioner herein and there appears to be no impediment to grant the license. In such circumstances, this Writ Petition is allowed with a direction to the respondents to transfer the licence issued by Bureau of Indian Standards standing in the name of Proprietary concern (i.e.,) M/s.SS Aqua Enterprises, to the partnership firm which has purchased the business of the sole proprietor, within a period of four weeks from the date of receipt of a copy of this order. No costs.

20.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
cp



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P.T.ASHA, J.

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